

I am writing this to tell the FCC that implementation of the 'broadcast flag' is inappropriate. It is bad for customers, a detriment to innovation, places too much power in the hands of the wrong industries, and places unwarranted financial burdens on the public

in the name of fixing a problem which has not even manifested at this time.

Standards - First off, the broadcast flag is not even agreed upon. The group responsible for getting consensus did not have a proper process for managing discussions and consensus, and ultimately ended up

With so many dissensions that I hardly buy that it is a consensus at all. I also find it entirely unacceptable how little customer representation was solicited or even considered.

I believe the groups operation can be better characterized as the media companies forcibly pushing their agenda on the other representatives with no effort at finding a middle ground.

The 'forced consensus' seemed to be spurred on the ongoing government threats of legislation as an alternative, which now appears to be where we are today.

Cost - Mandating a new feature in every TV, VCR, AV Receiver, PVR, Tuner, PC, DVD recorder seemed so ridiculous initially that I did not respond to the first requests to get active. Now that it appears that

This is actually being considered, I will use my personal situation to illustrate how big of an impact this is. I recently purchased a video projector to watch HDTV. This was the single largest cost electronics

Device I have ever purchased. If the broadcast flag goes through it will not be able to display HDTV anymore since it has no broadcast flag support built in.

the manufacturer has no obligation to add it later,

And I would have to buy a new unit just to do what I am already doing today, watching HDTV. To add insult to this injury, I cannot sell my current projector since it's now effectively useless, and the new projector

Will likely not do everything the old one does because the broadcast flag gives me no benefit as a customer, only new limitations. Now if that was not enough, I also have a VCR, 2 PVR's, a PC that receives television

Signal (normal and HDTV), and an audio / video receiver, all which will have the same problems. If I do not throw away these items and buy new as well, each one will be unable to handle the television which

I am already watching today. This cost is a financial disaster waiting to happen, and potentially an environmental issue as well. What do we do with all these forcibly obsoleted electronics systems? To be enforceable, these legacy units would have

to be banned and would basically become landfill.

Innovation - The broadcast flag is off base in another substantial way, it places technology innovation under the control of media. If you've read the groups paper, its approval criteria are arbitrary and unclear.

Anyone who has an idea for innovation would basically have to build it, then submit it to media (and some other tech groups), and get approval of its use under some questionable review process. If I am the next founder of a product the approval board for my invention is filled with groups which have no interest in approving my work. The media company has consistently shown to be technophobic in the past and have fought almost every major technological advancement to date, and tech industries are likely to be biased by how they could stop this new innovator with the payoff that they could create their own version of the invention. By the simple adoption of the broadcast flag, we have a risk of creating a technology cartel, whose priorities have nothing to do with allowing new players into the market, and little interest in allowing new products on the market unless they are their own products. Because this would have the force of law behind it, I do not see any incentive for these companies to actually listen to customers since they can shove whatever they want at us and make any competitors products illegal.

Control - Now this I think is a pivotal point that needs attention. Just what exactly is not recordable, and who decides what's not recordable? Personally I think that its not reasonable to lump pay per view in with nightly network news, but it appears that we have not even addressed this issue to any reasonable clarity. As the broadcast flag mandate stands, the media companies could set what is copy able and what is not, totally independent of any governmental laws. Fair use is a endangered species, and the last thing I want to see happen is see my legal rights stripped by a mandatory click through EULA. Media companies are not the gatekeepers of customer rights. Its inappropriate, and a conflict of interest.

I find it insulting that in that vision I could be buying back the rights I already have today as 'premium' services, and I have no faith that if the broadcast flag was enacted, that the 'gatekeepers' would not do just that. Their motivation lies in that direction, not towards maintaining customers rights. Recently I read about a case where a cable operator abused a early version of this by turning off ALL recording capability on any channel for their subscribers.

So the early adopters are abused and cannot even do what they used to with their older equipment.

If this broadcast flag is enacted, I intend to continue to buy products which do not use the broadcast flag whenever possible, will boycott companies who use it and especially companies who invariably will abuse it, and will vote against my any of my representatives who sponsored / support it. This measure does not represent the public will, and looks like a classic industry fabricated agenda. I do not intend to foot the bill for the media industry to add new tools that strip away my rights as a customer. The FCC is supposed to work for the benefit of the public. I hope in this case it does.